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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/908,943	07/19/2001	Riqiang Yan	29915/00281A.US	1034
4743	7590	11/10/2003	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 6300 SEARS TOWER 233 S. WACKER DRIVE CHICAGO, IL 60606			PATTERSON, CHARLES L JR	
			ART UNIT	PAPER NUMBER
			1652	

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

Applicant urges that the last action should not have been made final because the change in the rejection was not necessitated by applicants' amendment. They further argue in paragraph 6 that the original claims contained the limitation "having 4 to 50 amino acids". This is not found to be true. A review of the original claims that were pending at the time the first action was done shows that they contained the limitation "of at least four amino acids". This requirement was met by the first action of the merits and in order to meet the new requirements of "having 4 to 50 amino acids", the new ground of rejection was added over Sano, et al.


Charles L. Patterson, Jr.
Primary Examiner
Art Unit: 1652